

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

GERALD A. LECHLITER,)	
)	
Plaintiff.)	
)	
v.)	Civil Action No. 04-814-KAJ
)	
DEPARTMENT OF THE ARMY, and)	
THE SECRETARY OF THE ARMY,)	
Honorable Francis J. Harvey)	
)	
Defendants.)	

STATUS REPORT

Pursuant to the Court's Order of December 12, 2006 (D.I. 29), the government, by and through undersigned counsel, and Plaintiff, *pro se*, hereby provide this status report:

1. The parties intend to move jointly to dismiss this action promptly after the government has performed its obligations pursuant to a settlement agreement executed by the parties in connection with a related matter on or about November 22, 2006. (The related case is pending in the United States Court of Federal Claims and is captioned *Lechliter v. United States*, No. 04-1729C (Judge Firestone)). Paragraph 6 of the settlement agreement provides: "Upon satisfaction of the terms set forth in paragraph 4, Mr. Lechliter agrees to join with the United States in stipulating to the dismissal of the Court of Federal Claims lawsuit and the district court suit [defined in paragraph 3 of the settlement agreement as the instant matter] with prejudice." The government's obligations under paragraph 4 are to (a) covert Plaintiff's longevity retirement to a disability retirement at a percentage of 70%, retroactive to January 1, 2003, and (b) pay Plaintiff back pay in the amount of \$30,000.00.


2. The parties respectfully request that the Court retain the stay entered on April 3, 2006 (D.I. 28).

3. Plaintiff, who is proceeding *pro se*, has authorized undersigned counsel to submit this Status Report jointly on behalf of the parties.

Respectfully submitted,

COLM F. CONNOLLY
United States Attorney

BY:


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Attorneys for the Defendant

Dated: December 15, 2006

CERTIFICATE OF SERVICE

I, Theresa A. Jordan, an employee with the United States Attorney's Office, hereby certify that on December 15, 2006, I electronically filed the foregoing:

STATUS REPORT

with the Clerk of the Court using the CM/ECF and served plaintiff via First Class Mail as follows:

Mr. Gerald A. Lechlitter, *pro se*
44 Harborview Road
Lewes, DE 19958

Theresa A. Jordan